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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:)	Group Art Unit: 1714
David E. Graham)	
Serial Number 10/569,221)	Examiner:
Filed: February 22, 2006)	
Title: CONTROLLING THE FORMATION OF CRYSTALLINE HYDRATES IN FLUID SYSTEMS)	Request for a Refund
Attorney Docket: MSH - 269)	July 18, 2006

Commissioner for Patents
P. O. Box 1450
Alexandria VA 22313-1450

Dear Sir:

This is a request for a refund of a fee of \$600.00 charged for extra claims that has been charged to applicant's Deposit Charge Account 13-2492.

The applicant filed this patent application of September 12, 2003. The filing was accompanied by USPTO form 1390, which is the calculation form for the fees to be paid upon filing. This form provides for the calculations to be made and then the total fees payable can be halved to reflect small entity status. The applicant herein is a small entity, and therefore, the form 1390 contained that calculation. The Form 1390 also provides for calculating the fees for extra claims and this was done in the Form 1390 provided with the application. Therefore, the fees for extra claims was paid at the time of filing (see the enclosed form 1390 and the deposit Account Statement dated February 2006, lines 20 to 22, dated February 28, Seq. = 281,282, and 283, Posting ref txt = 10569221, Docket NBR = MSH - 269US, Fee Code = 1631, 1641, and 1633, in the amounts of \$300.00, \$100.00, and \$200.00).

The USPTO has charged applicant's Deposit Charge Account 13-2492 the sum of \$600.00 for extra claims, as can be witnessed by the enclosed Deposit Account Statement for 13-2492, line 33.

Applicant believes that the second fee was charged in error and requests that the fee be refunded. The charge should be refunded to Deposit Charge Account 13-2492.

Respectfully submitted,

A handwritten signature in cursive script that reads "Robert L. McKellar". The signature is written in dark ink and is positioned above the printed name.

Robert L. McKellar
Reg. No. 26,002
(989) 631-4551



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Deposit Account Statement

Requested Statement Month: February 2006
Deposit Account Number: 132492
Name: ROBERT L. MCKELLAR
Attention:
Address: 784 SOUTH POSEYVILLE ROAD
City: MIDLAND
State: MI
Zip: 48640-8928
Country: UNITED STATES

DATE	SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
02/03	1	10865205	MSH-302	2201	\$700.00	\$2,195.00
02/03	12	10204894	30915US	1252	\$450.00	\$1,745.00
02/03	45	E-REPLENISHMENT		9203	-\$2,500.00	\$4,245.00
02/07	2	10683686	MSH-264	2401	\$250.00	\$3,995.00
02/07	92	11346952	MSH-384CIP	2011	\$150.00	\$3,845.00
02/07	93	11346952	MSH-384CIP	2111	\$250.00	\$3,595.00
02/07	94	11346952	MSH-384CIP	2311	\$100.00	\$3,495.00
02/07	95	11346952	MSH-384CIP	2201	\$1,000.00	\$2,495.00
02/14	55	E-REPLENISHMENT		9203	-\$2,200.00	\$4,695.00
02/15	5	10432749	PN - 27	1615	-\$342.00	\$5,037.00
02/15	6	10432749	PN - 27	1615	\$72.00	\$4,965.00
02/15	7	10432749	PN - 27	1616	\$280.00	\$4,685.00
02/16	119	11353449	MSH-369	2011	\$150.00	\$4,535.00
02/16	120	11353449	MSH-369	2111	\$250.00	\$4,285.00
02/16	121	11353449	MSH-369	2311	\$100.00	\$4,185.00
02/21	90	10519636	TSL 1775 US	1501	\$1,400.00	\$2,785.00
02/21	91	10519636	TSL 1775 US	1504	\$300.00	\$2,485.00
02/22	79	E-REPLENISHMENT		9203	-\$600.00	\$3,085.00
02/28	44	E-REPLENISHMENT		9203	-\$900.00	\$3,985.00
02/28	281	10569221	MSH-269US	1631	\$300.00	\$3,685.00
02/28	282	10569221	MSH-269US	1641	\$100.00	\$3,585.00
02/28	283	10569221	MSH-269US	1633	\$200.00	\$3,385.00

START BALANCE	SUM OF CHARGES	SUM OF REPLENISH	END BALANCE
\$2,895.00	\$6,052.00	\$6,542.00	\$3,385.00



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Deposit Account Statement

Requested Statement Month: June 2006
Deposit Account Number: 132492
Name: ROBERT L. MCKELLAR
Attention:
Address: 784 SOUTH POSEYVILLE ROAD
City: MIDLAND
State: MI
Zip: 48640-8928
Country: UNITED STATES

DATE	SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
06/01	58	E-REPLENISHMENT		9203	-\$740.00	\$6,111.00
06/01	85	E-REPLENISHMENT		9203	-\$750.00	\$6,861.00
06/02	29	10477156	TSL - 1722 US	1251	\$120.00	\$6,741.00
06/02	30	10482621	TSL - 1728US	1251	\$120.00	\$6,621.00
06/05	292	11445420	MSH-360	2011	\$150.00	\$6,471.00
06/05	293	11445420	MSH-360	2111	\$250.00	\$6,221.00
06/05	294	11445420	MSH-360	2311	\$100.00	\$6,121.00
06/05	506	PCT/US06/15422	MSH-338PCT	1601	\$300.00	\$5,821.00
06/05	507	PCT/US06/15422	MSH-338PCT	1603	\$300.00	\$5,521.00
06/05	508	PCT/US06/15422	MSH-338PCT	1702	\$1,086.00	\$4,435.00
06/05	509	PCT/US06/15422	MSH-338PCT	8007	\$20.00	\$4,415.00
06/06	51	10052002	MAC - 199	2453	\$750.00	\$3,665.00
06/07	1	E-REPLENISHMENT		9203	-\$1,700.00	\$5,365.00
06/08	7	E-REPLENISHMENT		9203	-\$620.00	\$5,985.00
06/09	15	10492569	TSL 1753US	1251	\$120.00	\$5,865.00
06/09	15	10482323	TSL - 1729US	1501	\$1,400.00	\$4,465.00
06/09	16	10482323	TSL - 1729US	1504	\$300.00	\$4,165.00
06/12	8	10482904	TSL - 1732US	1401	\$500.00	\$3,665.00
06/12	55	E-REPLENISHMENT		9203	-\$1,950.00	\$5,615.00
06/13	65	10117259	DC-4966	1501	\$1,400.00	\$4,215.00
06/13	66	10117259	DC-4966	1504	\$300.00	\$3,915.00
06/19	5	10457281	MSH - 232	2401	\$250.00	\$3,665.00
06/19	37	E-REPLENISHMENT		9203	-\$200.00	\$3,865.00
06/19	40	60813873	MSH-405P	2005	\$100.00	\$3,765.00
06/19	41	60813872	MSH-403P	2005	\$100.00	\$3,665.00
06/22	30	E-REPLENISHMENT		9203	-\$1,706.00	\$5,371.00
06/22	347	10559399	DC-5067US	1617	\$130.00	\$5,241.00

See p.2 →

06/27	39	E-REPLENISHMENT		9203		-\$500.00	\$5,741.00
06/28	4	10457281	MSH - 232	1251		\$120.00	\$5,621.00
06/29	34	11474904	MSH-319C	2011		\$150.00	\$5,471.00
06/29	35	11474904	MSH-319C	2111		\$250.00	\$5,221.00
06/29	36	11474904	MSH-319C	2311		\$100.00	\$5,121.00
06/30	4	10569221	MSH-269US	1615		\$600.00	\$4,521.00
06/30	92	E-REPLENISHMENT		9203		-\$2,300.00	\$6,821.00
06/30	275	PCT/US06/24223	MSH-357PCT	1601		\$300.00	\$6,521.00
06/30	276	PCT/US06/24223	MSH-357PCT	1603		\$300.00	\$6,221.00
06/30	277	PCT/US06/24223	MSH-357PCT	1702		\$1,086.00	\$5,135.00
06/30	278	PCT/US06/24223	MSH-357PCT	8007		\$20.00	\$5,115.00

START	SUM OF	SUM OF	END
BALANCE	CHARGES	REPLENISH	BALANCE
\$5,371.00	\$10,722.00	\$10,466.00	\$5,115.00

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TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER MSH-269US U.S. APPLICATION NO. (If known, see 37 CFR 1.5)
INTERNATIONAL APPLICATION NO. PCT/US2004/029380	INTERNATIONAL FILING DATE 10 September 2004	PRIORITY DATE CLAIMED 12 September 2003
TITLE OF INVENTION DETERMINING THE FORMATION OF CRYSTALLINE HYDRATES IN GAS AND OIL SYSTEMS		
APPLICANT(S) FOR DO/EO/US Captur Technologies Co., LLC		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none">1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371.2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371.3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.4. <input checked="" type="checkbox"/> The US has been elected (Article 31).5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))<ol style="list-style-type: none">a. <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).b. <input type="checkbox"/> has been communicated by the International Bureau.c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2))<ol style="list-style-type: none">a. <input checked="" type="checkbox"/> is attached hereto.b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))<ol style="list-style-type: none">a. <input checked="" type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).b. <input type="checkbox"/> have been communicated by the International Bureau.c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.d. <input type="checkbox"/> have not been made and will not be made.8. <input checked="" type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).		
Items 11 to 20 below concern document(s) or information included:		
<ol style="list-style-type: none">11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.13. <input checked="" type="checkbox"/> A preliminary amendment.14. <input checked="" type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.15. <input type="checkbox"/> A substitute specification.16. <input checked="" type="checkbox"/> A power of attorney and/or change of address letter.17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821-1.825.18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).19. <input type="checkbox"/> A second copy of the English language translation of the International application under 35 U.S.C. 154(d)(4).		

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)		INTERNATIONAL APPLICATION NO. PCT/US2004/029380		ATTORNEY'S DOCKET NUMBER MSH-269US	
20. Other items or information: return receipt postcard					
The following fees have been submitted				CALCULATIONS PTO USE ONLY	
21. <input checked="" type="checkbox"/> Basic national fee (37 CFR 1.492(a))..... \$300				\$ 300.00	
22. <input checked="" type="checkbox"/> Examination fee (37 CFR 1.492(c))					
If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... \$0				\$ 200.00	
All other situations..... \$200					
23. <input checked="" type="checkbox"/> Search fee (37 CFR 1.492(b))					
If the written opinion of the ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... \$0					
Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority..... \$100				\$ 100.00	
International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB..... \$400					
All other situations..... \$500					
TOTAL OF 21, 22 and 23 =				\$ 600.00	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
- 100 =	/50 =		x \$250	\$ -0-	
Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).				\$ -0-	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	
Total claims	32 - 20 =	12	x \$ 50	\$ 600.00	
Independent claims	3 - 3 =	0	x \$200	\$ -0-	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360	\$ -0-	
TOTAL OF ABOVE CALCULATIONS =				\$ 1200.00	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.				600.00	
SUBTOTAL =				\$ 600.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).				\$	
TOTAL NATIONAL FEE =				\$ 600.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$	
TOTAL FEES ENCLOSED =				\$ 600.00	
				Amount to be refunded:	\$
				Amount to be charged	\$

- a. ☐ A check in the amount of \$ _____ to cover the above fees is enclosed.
- b. ☒ Please charge my Deposit Account No. 13-2492 in the amount of \$ 600.00 to cover the above fees.
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 13-2492. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

Robert L. McKellar
McKellar IP Law, PLLC
784 South Poseyville Road
Midland, Michigan 48640

Robert L. McKellar
SIGNATURE
Robert L. McKellar
NAME
26,002
REGISTRATION NUMBER

Dep: Ref

PTO/SB/82 (09-04)
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Certificate of Mailing under 37 CFR 1.8

U.S. PATENT & TRADEMARK OFFICE

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

On: July 18, 2006

Molly Leins
Signature

Molly Leins

Typed or printed name of person signing Certificate

989-631-4551

Registration Number, if applicable

Telephone Number

For USSN 10/569,221 in the name of Graham, entitled: CONTROLLING THE FORMATION OF CRYSTALLINE HYDRATES IN FLUID SYSTEMS, request for refund 2pg. coverletter, copy of Feb. and June deposit account statement, 3pgs. copy of PTO-1390, return receipt postcard.

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.